

**CITY OF ST CLAIR  
PLANNING COMMISSION MEETING  
SPECIAL MEETING  
WEDNESDAY, OCTOBER 18, 2023 – 7:00 P.M.  
547 N. CARNEY DRIVE – COUNCIL CHAMBERS**

**CALL TO ORDER:** Chair Terry Beier called the meeting to order at 7:00 pm

**ROLL CALL:**

Chairman	Terry Beier	Vice-Chair	Dan McCartney
Council Rep	Mike Laporte	Member	Nancy Beaudua
Member	Paul Wade	Member	Butch Kindsvater

**APPROVAL OF AGENDA:** *Mike Laporte made a motion to approve the agenda as presented, supported by Nancy Beaudua. All in favor, none opposed*

**APPROVAL OF MINUTES:** *Nancy Beaudua made a motion to approve the August 9, 2023 meeting minutes as presented, supported by Paul Wade. All in favor, none opposed.*

**ATTENDEES:** Linda Russell, Tristen Sayers, Janet Canode, Jill Joachim, Rebecca Kerin, Cris Nesbitt, Colleen Karry, Robert Krall, Jim Bier, George Webb, Annette Sturdy, Chuck Durfee, Antoinette Skelly, Johnathon Hagen, Dennis Bemiss, Betty Fryer, Don Fryer, Debbie Rickart, Sue Wagenschutz, Heather Davies, Ric Davies, Marily Olde, Richard Serreyn, Deb & Joe Ziegler, Bobbie Sayers, Burt Brooks, Chuck Harder, Wendy Harder, Paul Dailer, Kathy Deaner, Dick Deaner, Kevin Prokop, Rose Zimmer, Steve Zimmer, Erin Gartland, Murray Caister, Mike Grant, Wendy Marino, Thomas Kolioupoulos, Peggy Majeski, Hunter Wendt

**PUBLIC HEARING:** Carney’s Liquor Shoppe  
1100 S Carney Drive  
74-07-405-0015-000  
Special Use Approval

**Terry Beier** – Tonight we have one public hearing regarding property #74-07-405-0015-000. The petitioner is requesting special land use approval to operate a gas filling station in a C2 Commercial District. The way we like to run the Public Hearing, if you would like to speak on this topic just raise you hand and I will call on you. Then we ask that you come to the podium, state your name and address for our records. We would like to keep comments to three minutes or less because there are a lot of people in the audience.

The applicant is proposing to install three gas pumps on the north side of the facility which is on a paved area. In addition to that he is proposing a 6’ tall masonry wall on the west property line which adjoins the residential property, and one canopy over the gas pumps? Would the applicant like to add anything? If not, can I get a motion to open the public hearing?

*Dan McCartney made a motion to open the public hearing, supported by Butch Kindsvater. All in favor, none opposed.*

**Heather Davies** – 1803 Jackson. I am here tonight to deny the request for the gas station at 1100 S Carney Street. The reason for my request is as follows:

1. Several agencies including the US EPA, the Institute of Health, researches from Hopkins and Columbia and several others have indicated an increase health risk to residents living in close

proximity to gas stations. Most government agencies agree that a minimum distance of 300 feet between a gas station and a residential property. However, recently research has started to support that the 300-foot setback is not enough. They have found increased health concerns as far as 524 feet up to 1000 feet from gas stations. Some of the concerns that have been cited for the increased setbacks are increase cancer rates, increase miscarriages, concerns with respiratory and asthmatic issues as well as increased diabetic concerns.

2. If you look at the proposed property, there is a 60-foot space for the expansion of Hugo to Carney. Then there is the wooded lot that is 116 feet deep. The next property over is mine. That gives us 176 between the proposed gas station and my back yard. Well under the recommended 300 feet that most governments and state agencies recommend. And even further less than those in states like California and what other researchers are advocating for.
3. Another thing that I would like to call out as a concern is possible air pollution, water and soil contamination that has been well documented by researchers. Also, the additional noise pollution. In the handout I supplied you can see that an idling truck are at 100 dBA. That is in the high danger zone. As we have a filling station basically in our back yards, they will be maneuvering to fill the tanks and wait for clearance to get the appropriate approach to fill those tanks in a limited space.
4. We could also see increased traffic which could come to a cost to our community in the form of additional traffic signals and congestion.
5. I would also ask that you consider is there really a demand for another gas station. If you look at my document that it recommends that 3,000 to 6,000 people are needed to successfully sustain a gas station. Our city has less than 5,500 people total in the last census and we have two other gas stations within 1.2 miles.
6. Another thing is that there are over 500,000 defunct/closed gas stations. When a gas station closes it can't just open up another type of business. There has to be a decontamination and a restoration of the property to a usable property. Our local, state and federal governments have a plethora of properties waiting for this type of clean-up. It's come to a cost of the citizens.
7. Also please consider the fact that there is a decrease in demand for gas stations and the trend is expected to continue to decrease.

Thank you for your time.

**Craig Wagenschutz** – 1811 Jackson. Good evening and thank you for what you do. Full disclosure. I have a greater appreciation for what you do. I have served on planning commission so I appreciate all that you do. I would just like to bring up some points for your consideration.

For the business owner, I also have a great appreciation for them. I have owned a small business pretty much my whole career so I understand wanting to enhance the viability of your business. I just don't think this is the right place or thing to do in this location.

You have a one-page hand out, I am not going to read it, but I will highlight a few things. There are a lot of unresolved issues from what we have seen. Fuel pumps don't meet the master plan intent, no canopy elevations, no canopy lighting submitted. Including from the engineering firm, who indicated right in their documents that I read. I understand that those can be addressed in the future but why were they not addressed now? Another question, will it be an improvement to the community? It would add some convenience for some folks but for reasons already mentioned I don't know if it is necessary.

There are certainly potential environmental issues with any gas pump and from my experience, when I go to other communities there is usually a much bigger buffer than what is being proposed with this case between the facility and residential areas. We have done some research on our own that residential properties within a certain radius will certainly be reduced as a result because of its location. We have a realtor who has confirmed this for us. This is a potential economic detriment. We talk about disruption of back yards.

There are certainly positives to having a gas station, it's just that the negatives at this point out weigh the positives. We talked about the Hugo Street setback which implies that maybe someday this could be developed and how will that play into all of this?

There appears to be an issue with the parking requirements. Variances may need to be obtained to meet the parking requirements. Vehicle circulation, this really confused me. This is from the documents that we received, some being from the engineering firm. There is not enough information to draw a conclusion about circulation. I am not sure what that means or why is it that there is not enough information? It seems to me that this would be important, if it were me, I would want to know that.

I have talked about the canopy, based on the engineering firm, there is not enough information to address the canopy issue. This goes to lighting and many other things. If the special use for fuel pumps is approved it will diminish the value of our homes. This could be a potential economic detriment, not only to the residents but to the community/city. If the property values are decreased then at some point the taxes would be reduced.

Again, thank you all for your service and no matter the outcome, I wish the business owners well as we need small businesses in our community. I am just not sure if this is the right place or time for this type of project.

**Janet Canode** – 1919 Hugo Street. It is a wonderful place to live and there is a reason we forked over the extra bucks to live where we live. Last summer, the county came by to see what we had done to improve our property. This was done to raise our taxes and you did. What I am saying is that we love where we are, we don't want a gas station at the end of my street, shining lights down on my street. I want to watch the deer in my backyard and I think we all do. I am just saying that this proposal is really awful and it will depreciate what our houses are worth. Thank you

**Katherine Raab** – 1905 Clinton. I also grew up on Oakwood, I lived there from the time I was five until I got married. St Clair has been the best place to grow up. I have so many great memories, now as I am driving my children to the same school, all of the wood lands, the beautiful parts of our town are just being cut down left and right. We are getting all these apartment complexes, new housing put in which is a good thing but where does it end? The property is just being depleted. I look around and see how much has changed and I think that our kids are not going to have the same memories and enjoyment of a small-town life. Thank you.

**Terry Beier** – Ok thank you, is there any one else?

*Dan McCartney made a motion to close the public hearing, supported by Butch Kindsvater. All in favor, none opposed.*

**Terry Beier** - We did receive six letters from residents that I will add to the minutes.

*(See attached letters)*

As we have said, tonight's meeting is to hear public comment on the proposed site. We do not have our official review from our City Planner at this time. What we will do is take these comments and cover this topic at another meeting. We will need time to evaluate this proposal as we obtain the items we are missing. Would the applicant like to add anything to what has been said?

**Jimmy Jamil (Applicant)** – 1100 S Carney Drive. I am one of the owners of Bucsemi's and I want to welcome everyone who is here. We want to hear your opinion and we respect your opinions. This is your city and you know what you want. We thought we would propose this gas station because we have extra space where we could fit a small gas station. But I did not know that most people are against it and we respect that. Whatever Planning decides we will respect it, whether for it or against it.

Some of the things that are listed on the handout brochure are wrong but some are correct. As far as leakage with underground tanks this is not an issue. The government now requires tanks to be made of fiberglass so the tanks don't leak.

As far as declining demand for gasoline, this is very true. In the near future there won't be as much demand because of electric vehicles.

I don't see anything creating noise. We may get once a week a load of gas which is usually done early in the morning or later in the evening.

As for fire hazard – yes, all gas stations could be a fire hazard. Fire can happen anywhere. As far as health concerns I am not a doctor. I own three other gas stations and I don't have any complaints from anyone on this.

I don't think that the water and soil contamination apply because of the fiberglass tanks. As for the increased traffic, I don't think this will be affected. There may be a little bit of increase but not much because we are only looking to install 3 pumps.

Your voices have been heard and we respect your opinion. We just thought we would do something to bring in more business because we got hurt from Carney Drive construction. We wanted to increase our business.

**Terry Beier** – We don't have any site plan review on the agenda and we don't have enough information for the New Business discussion so those will happen at a separate meeting. Possibly by the December meeting we can have all necessary paperwork for our consideration along with all of the comments from tonight. With that being said I would recommend tabling the New Business topic.

**NEW BUSINESS:** Carney's Liquor Shoppe  
1100 S Carney Drive  
74-07-405-0015-000  
Special Use Approval

*Dan McCartney made a motion to table until our next meeting, supported by Butch Kindsvater. All in favor, none opposed.*

**Dee Boulter** – Just to let all of you know. If this does go to site plan review you are not notified. Please watch the city webpage or call city hall to find out if and when this will happen.

*Dan McCartney made a motion to adjourn, supported by Butch Kindsvater. All in favor, none opposed.*

Meeting adjourned at 7:45 pm